APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,224	10/16/2003	Tu Shao-Chi	2003-0527 / 24061.105	8045

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EXAMINER
CHUMPITAZ, BOB R

ART UNIT	PAPER NUMBER
3629	

MAIL DATE	DELIVERY MODE
08/03/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	10/687,224	SHAO-CHI ET AL.
	Examiner	Art Unit	
	BOB R. CHUMPITAZ	3629	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>20 July 2011</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: <u>1,3-6,9-12,14-19,21,22 and 24</u>.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
   <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Jamisue A Plucinski/
Supervisory Patent Examiner, Art Unit 3629

/BOB R CHUMPITAZ/
Examiner, Art Unit 3629

Continuation of 11. does NOT place the application in condition for allowance because: the cited prior art references do disclose the claimed limitations. Applicant argues: (1) The cited combinations of Yang and Hagen (Claims 1, 6 and in the case of claim 21, Arackaparambil as well) does not teach the claimed abnormality alert. Yang fails to teach the claimed abnormality alerts. Yang simply does not provide enough detail to disclose providing an abnormality alert, and the rejection should be withdrawn. (2) The cited combination of Yang and Hagen does not teach this feature: (claim 6 recites), "assigning event elements to the product includes the secondary provider defining a first event element using a first computer system associated with the secondary provider and the primary provider modifying the first event element using a second computer system associated with the primary provider." Neither Yang nor Hagen teaches a secondary provider defining a first event element and a primary provider modifying the first event element. The Final Action does not even assert that the references teach defining a first event element or modifying the first event element (which is consistent with Applicant's position that the cited references fail to teach the feature). (3) Claim 21 recites, "instructions for determining a future location for the product and the associated information through the virtual fab via the enterprise control entity."Applicant does not admit that Yang's ship-to location teaches determining a future location for the product. But Applicant does note that the ship-to location does not teach determining a future location for the associated information. In response to the noted arguments, the Examiner respectfully disagrees. First, in response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and KSR International Co. v. Teleflex, Inc., 550 U.S. 398, 82 USPQ2d 1385 (2007). With respect to argument (1), the Yang/Hagen combination does disclose the claimed limitations noted above. In at least paragraphs [9, 21], Yang clearly discloses the process of providing buyers and suppliers real time visibility into the status of the supply chain (status information, fast indication of abnormal events and other information. The supply chain management system performs "alerts" processes based upon alert conditions for specific events/reports/process of the supply chain. Therefore, the process of performing "alerts" based upon alert conditions as disclosed by Yang, clearly encompasses the claimed process of providing an abnormal alert. With respect to argument (2), in addition to the Examiner's response noted in the Final Office Action, for further clarification the Examiner points to paragraphs [25, 193] of Yang, which discloses the process of defining a low yield threshold (event element) by the buyer or other client. The supply chain mangement system tracks yield down to per device, per part number, per supplier and identified low yield. In at least this passage, Yang teaches a process wherein event elements to a product are defined by a buyer or client. Furthermore Yang discloses a computer system network for the supply chain management system where primary and secondary providers (buyer and supplier) can intercommunicate supply chain information [70-71]. The Hagen reference further teaches a work in progress (WIP) tracking system for coordinating a semiconductor supply chain. The WIP is networked to customer via a web interface in order to provide access to the WIP tracking system in order to access supply chain task information. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Yang and Hagen system to include a means to define and/or modify supply chain management task information (event element information) utilizing the web interface networked with a semiconductor supply chain system as taught by Hagen in order to provide an improved system that optimizes intercommunication between providers of the supply chain management system during all staged of the supply chain management system. With respect to argument (3), Yang discloses a system with lot tracking functionalities. Lot tracking tracking allows a user to track the process of the fabricated unit throughout its fabrication stages. Table 2, of Yang discloses a "Ship to location". The ship to location provides the future location for a fabricated unit once a fabrication stage is completed. Therefore, the Examiner maintains the noted rejections, as shown in the Final Office Action.